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F.A.O.
Thanks.

Renata B. Hesse,
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

23 January 2002

Re: US vs. Microsoft, proposed final judgement

Renata B. Hesse,

I appreciate the great amount of work that has gone into producing the proposed final judgement to date. However, the settlement in its current form seems to overlook several important issues, and Microsoft has a history of exploiting loopholes such as these to leverage and increase its monopoly position, to the great detriment of consumers, parallel technologies, and the computing industry as a whole.

Penalized OEMs

I am very happy to see the measures in section III.A.2 which prevent Microsoft from penalising OEMs who choose to ship dual-boot or multiple operating system PCs. However, this restriction contains a very significant loophole, in that it does not protect OEMs which would like to ship PCs without any Microsoft operating system installed (eg. A pure Linux system.) This significantly contributes to stifling any other operating system from gaining a significant foothold in the marketplace, regardless of the merits of functionality, price or reliability that other operating systems may have to offer.

End User Licence Agreements

Additionally, I would like to see steps taken to prevent Microsoft end-user licence agreements from prohibiting my choice of using non-Microsoft operating systems or products. The PFJ as currently stated does not prohibit this, which unfairly prevents competing operating systems or products from attempting to interoperate with Microsoft products, and simultaneously curtails end-users' freedom of choice.

Sincere thanks for this opportunity to express my views,

Jonathan Hartley

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